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Strategies for crime prevention

Crime prevention

Report of the Secretary-General

Summary

The Economic and Social Council, in its decision 1997/232, decided that each session of the Commission on Crime Prevention and Criminal Justice should have one prominent theme and that the theme of the eighth session of the Commission should be "Crime prevention".

The present report has been prepared with a view to facilitating the deliberations of the Commission. It provides an overview of recent concepts and successes of crime prevention, describes the new challenges for the international community in preventing transnational organized crime and corruption, addresses the links between socio-economic development and crime and discusses strategies to manage crime prevention at the national level. The report also reflects the views of Member States on standards regarding responsible crime prevention.

Information on illicit manufacturing of and trafficking in explosives by criminals and on the abuse and misuse of explosives for criminal purposes will be issued as an addendum to the present report.

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I. Introduction

1. The Economic and Social Council, in its decision 1997/232, decided that each session of the Commission of Crime Prevention and Criminal Justice should have one prominent theme and that the theme of the eighth session of the Commission should be "Crime prevention". In order to facilitate the deliberations, the Secretary-General prepared the present report.

2. The Commission will have before it a report on the meeting of the expert group on community involvement in crime prevention, held in Buenos Aires from 8 to 10 February 1999 (E/CN.15/1999/CRP.1) in preparation for the workshop on community involvement in crime prevention to be held within the framework of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. The Commission will also have before it the report of the Secretary-General on the elimination of violence against women (A/54/69-E/1998/8). The Secretary-General will also submit to the Commission information on illicit manufacturing of and trafficking in explosives in the context of crime prevention and public safety (E/CN.15/1999/3/Add.1).

II. Concept of crime prevention

3. The term crime prevention was once used in the United Nations in a broader sense, encompassing both punitive and non-punitive measures. That was reflected in the names of a number of United Nations entities, such as the United Nations congresses on the prevention of crime and the treatment of offenders. The concept of prevention in its more traditional, broad sense has been retained in the name of the Centre for International Crime Prevention of the Secretariat.

4. More recently, the concept of crime prevention has acquired a more restricted meaning, referring to non-punitive measures only. Crime prevention is now understood to mean the targeting of the causal factors of crime, including opportunities for the commission of crime. For example, in 1998, mayors from all over Africa met in Johannesburg to recommend action aimed at the prevention of delinquency, violence and insecurity. In the context of the United Nations, that concept of crime prevention was reflected, for example, in the resolution on the prevention of urban crime adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990,[1] and in the activities of the United Nations Centre for Human Settlements (Habitat) concerning community safety. Crime prevention in this new sense also features in the name of the European Institute for Crime Prevention and Crime Control, affiliated with the United Nations, and of the International Centre for the Prevention of Crime, associated with the United Nations. The Commission on Crime Prevention and Criminal Justice will discuss a draft on elements of responsible crime prevention which deals specifically with non-punitive measures. It is crime prevention in this more specific sense which was chosen as the theme of the eighth session of the Commission.

A. Types of crime prevention

5. Crime prevention is subdivided into approaches focusing (a) on potential offenders (offender-oriented prevention) and (b) on situations or potential victims (situational or victim-oriented prevention). Offender-oriented prevention typically targets the social factors and psychological problems that predispose young persons to become (persistent) offenders. Known social development risk factors include incoherent or ineffective parenting, social and cognitive disabilities of children, dropping out of school, social exclusion and youth unemployment. Policies addressing these factors can be focused on groups of the general population, such as beneficiaries of social development or health-care programmes. Examples are national campaigns informing about the risks of drug consumption, pre-school enrichment programmes or large-scale job programmes for long-term unemployed youth. Such measures are called primary prevention.

6. The term secondary prevention is used for measures directed at persons who show the first signs of a delinquent lifestyle (groups at risk). Examples are child- protection measures, home visits, parent training, reception centres for unemployed youngsters and voluntary treatment programmes for drug addicts.

7. Tertiary prevention consists of measures to prevent recidivism among former offenders through social reintegration and/or treatment. One form of tertiary prevention would be special courts for drug offenders that can impose coercive forms of rehabilitation. Offender-oriented crime prevention is sometimes called social crime prevention, or crime prevention through social development.

8. Situational or victim-oriented prevention seeks to make the commission of crimes more difficult, more risky or less rewarding to potential offenders, either by adapting the design of suitable targets for crime or of criminogenic environments or by promoting more effective self-protection among potential victims. Situational crime prevention may be in the form of physical measures, including technical measures such as closed-circuit television, or in the form of increased surveillance by local residents or non-police professionals. Special mention should be made of projects that try to reduce the risks at identified hot spots of crime in urban areas. Of special interest are projects aimed at helping actual victims to prevent repeat victimization. The prevention of repeat victimization is particularly relevant for victims of domestic violence and of household and commercial burglary. The treatment of abusive men can prevent recidivism and thereby also prevent repeat victimization.

9. In several countries, offenders and victims are invited to negotiate with each other on the determination of guilt and on restitution or compensation. In some cases, family members are invited to take part in the proceedings (family conferencing). Such mediation mechanisms are used in many developing countries as part and parcel of custom law. In developed countries, mediation programmes are often predicated upon existing customary law of aborigines or immigrant groups. Mediation may be a combination of tertiary prevention and victim-oriented prevention.

B. Successes of crime prevention

10. The interest in crime prevention may be partly the result of a growing disillusionment with the effectiveness of punitive measures. Recidivist rates among former prisoners are almost universally very high (above 50 per cent). In many parts of the world, crime rates have continued to rise since the 1960s, despite considerable increased investment in law enforcement, prosecution, courts and prisons. The situation has led to a worldwide search for innovative, alternative approaches. The development and promotion of social crime prevention has been undertaken, in particular, in countries with extended welfare systems. In such relatively affluent countries, crime prevention and victim assistance can be seen as belated applications of the welfare-state ideology to crime problems. In other countries, there has been particular interest in initiatives that promote responsible parenting and civic responsibility. At the same time, situational crime prevention has instantly appealed to practically minded audiences of all political persuasions, as well as to groups at risk of being victimized. Over the past 20 years, the extent and quality of self-protection measures against crime have gone up substantially in almost all countries with high crime rates, regardless of government policies on crime.

11. A rapidly growing body of knowledge of crime prevention indicates not only that special preventive measures result in lower crime rates, but also that such measures are often more cost-effective than conventional, punitive ones.[2] Descriptions of these and other successful projects can be found on the World Wide Web site of the International Centre for the Prevention of Crime (http://www.crime-prevention-intl.org/english/best/index.htm). That information is also presented in the 1997 and 1999 crime prevention digests of the Centre. An overview of criminology in Africa, including crime prevention strategies, is provided in a publication of the United Nations Interregional Crime and Justice Research Institute.[3]

12. In some countries, special efforts are being made to develop a scientific body of knowledge on what does and does not work in preventing crime. The publications mentioned above provide evidence that specific social development and situational measures that address burglary, car theft and high crime neighbourhoods as well as work on youth and families, are much more cost-effective than incarceration. For example, a study in the United States of America revealed that it is almost eight times more costly to reduce crime by increasing incarceration than by adopting incentives for youth at risk to complete school.[4] In recent overviews on state-of-the-art crime prevention, reference is made to so-called evidence-based crime prevention or crime reduction policies. These and similar overviews of evaluation studies have been instrumental in persuading Governments to extend generous funding for crime prevention. Fixed percentages of these new funds are earmarked for scientific evaluations.

13. In many developed countries, overall crime victimization rates and recorded crime rates have ceased to increase. In some countries, notably the United States, the rates show an unmistakable downward trend. Those positive trends are often attributed to improved law enforcement (zero tolerance policing) and/or more severe sentencing. While there might be sound reasons for this attribution, crime trends have started to decline in almost all developed countries, irrespective of the criminal

policies pursued. In Finland, for example, the Government succeeded in reducing the use of imprisonment through the imposition of less severe sentences by the courts. Finland is no exception to the rule of declining crime trends. This particular change in the crime trend appears to be unrelated to intensified police patrolling or more severe sentencing; other factors seem to have determined the development.

14. According to the International Crime Victim Survey[5] the level of self-protection and/or security has increased universally in developed countries. An alternative interpretation of the declining crime trends in developed countries is that the general increase in the level of self-protection and/or security has altered the cost-benefit ratios for many types of property crime to the extent that some forms of crime have become less attractive to potential offenders. Examples of crime that might have been affected by altered cost-benefit ratios are bank robbery, household and commercial burglary and vehicle-related crime. A case can be made that the stabilization of conventional crime in the developed world is, to some extent, the result of crime prevention initiatives of the private sector and the public sector in response to increased losses from victimization by crime.

III. New global challenges

15. Although crime in the developed world seems to be levelling off, the need for more effective policies against crime is as urgent as ever. The level of conventional crime in most countries is still unacceptably high. Crime rates generally remain 2 or 3 times higher than in the 1960s. Two out of three city residents throughout the world are victimized by crime at least once in five years.[6] Victimization by crime is highest in cities in Latin America and sub-Saharan Africa, but people in cities elsewhere in the world are also at risk. In several developed countries, violent crime is on the increase, in particular among young people. Private security companies and prison departments continue to expand and cost more. According to analyses done by the International Centre for the Prevention of Crime, the increasing cost of crime and its control use up a significant proportion of limited resources: the equivalent of 5 per cent of gross domestic product (GDP) in developed countries and up to 14 per cent of GDP in developing countries.[7] Surveys that give the public a choice suggest that there is more support for investment in crime prevention than for a further increase in traditional law enforcement and sanctions.

16. In addition to the heavy burden of conventional crime, transnational organized crime exacerbates existing crime problems. There is an enormous annual turnover in markets for illegal goods, such as illegal drugs, protected wildlife, stolen works of art, illegal firearms, and nuclear and/or toxic waste, as well as for trafficking in human beings. The illicit gains constitute a threat to the proper functioning of economic and financial systems and democratic institutions. In many less developed countries, socio-economic development is also hampered by rampant corruption. The economic and human costs of crime are a heavy burden for individual citizens, as well as for the private sector and the public sector the world over.

17. As a form of public policy, crime prevention is, in many respects, still in its infancy. The Commission may wish to consider how crime prevention efforts may be strengthened and further developed in response to new global challenges. With regard to efforts to prevent transnational organized crime, the intercountry harmonization of crime prevention policies is important for successful interventions. National crime prevention strategies alone are no longer enough to ensure the efficient and effective prevention of crime on a global scale. In addition, the lack of crime prevention efforts in one country or region will have negative repercussions on the efforts of another to prevent transnational organized crime. Consequently, in addition to better coordination and harmonization efforts, more strategic thinking might be required to ensure the success of efforts to prevent transnational organized crime. That will, in turn, require the development of strategies for the prevention of crime at the international level that encompass all relevant sectors dealing with crime prevention, including education, labour, social welfare and health care, as well as law enforcement and justice. Those strategies should be based on an analysis of good practices and successful pilot projects in the area of crime prevention.

A. Socio-economic development and crime

18. Although problems of crime cannot be directly attributed to socio-economic development, economic growth and crime are interrelated in various direct and indirect ways. In less developed countries, more people are tempted to regard criminal activity as a means of economic survival and to engage in such activity. For that reason, many developing countries are confronted with relatively

large groups of motivated offenders who are willing to use violence in pursuit of an illegal activity that is a source of income. In some countries, cultures of poverty have emerged that foster alcohol and drug abuse, inadequate parenting and high levels of violence, including violence against women and children. Against that background, it should come as no surprise that the level of serious crimes is inversely related to affluence.[6]

19. Notwithstanding the above, levels of crime are not necessarily always lower in affluent societies. In more developed countries, income and property are often unevenly distributed among the population and persons at lower income levels may experience socio-economic deprivation. Persons at higher income levels possess more consumer goods, such as cars and electronic equipment, making them attractive targets. In more developed countries, there are more opportunities to commit more profitable types of crime. Higher levels of income may generate greater demand for illicit drugs and sexual services. That situation may lead to other high-profit types of crime, including such forms of transnational organized crime as illicit drug trafficking and trafficking in women for sexual exploitation or exploitative labour. Developing countries are often directly affected by such high-profit types of transnational organized crime.

20. In almost all developed countries, the levels of self-protection have risen substantially over the past decade. However, in developing countries or countries with economies in transition, households and small businesses cannot easily afford the investments required. Thus, the least developed countries are falling behind in terms of security.[8] In those countries, crime levels may continue to rise and urban areas and tourist resorts may become less attractive as a result. A security gap may emerge between urban areas in more developed countries and urban areas in less developed countries. The safety factor may further undermine the economic competitiveness of certain developing countries and countries with economies in transition.

21. In order to prevent the emergence of a security gap between more developed and less developed countries, the promotion of situational crime prevention in sub-Saharan Africa and Latin America and parts of eastern Europe must become a technical cooperation concern. With relatively simple measures, safety in economically essential areas can be improved. However, as discussed at the meeting of the expert group on community involvement, held in Buenos Aires in February 1999, crime prevention requires a two-pronged approach. Long-term strategies for crime prevention must also deal with the economic, social and cultural causes of crime through economic, social, health-care and educational policies. Broad, comprehensive programmes with a public health perspective aimed at assisting vulnerable families and their children seem to have great potential in terms of crime prevention. Important priorities are also programmes that socially integrate juveniles at risk of becoming delinquents or members of organized criminal groups. Such secondary prevention programmes will help to make cities safer in the long term and will also contribute to the fight against organized crime.

22. Safety programmes deserve funding within the framework of economic restructuring initiatives. Urban safety is of great economic importance. In South Africa, for example, the business community has taken a lead role in several crime prevention programmes.

B. Relevance of the fight against corruption and organized crime to the prevention of conventional crime

23. The negative impact of corruption and organized crime on economic and social development is now more fully understood. This insight has important implications for crime prevention policies. In many parts of the world, the fight against corruption and organized crime may have greater relevance to the prevention of conventional crime than previously assumed.

24. In countries where corruption and organized crime are not adequately dealt with, economic development is often slowed down. Consequently, there is less room for the type of social development programmes needed for primary prevention of crime than there might otherwise be. Many organized criminal groups recruit members from among socially marginalized individuals. Criminal groups have a vested interest in social deprivation and sometimes deliberately impede social development.

25. If budgets for economic restructuring fall victim to corrupt practices, social development programmes, which could improve the living conditions of those at risk of becoming criminals, will suffer. In fact, the existence of rampant corruption is sometimes used as an argument against investing in social projects aimed at preventing crime in developing countries. In such cases, crime

prevention efforts are directly damaged by corrupt practices.

26. High levels of corruption and the conspicuous consumption that typically accompanies organized crime undermine public morale and respect for the law. The bad influence of such forms of crime will be diffused throughout the community. The activities of organized criminal groups have a negative impact upon the cultural preconditions for sustainable economic growth. Those most influenced by the negative role models provided by members of local organized criminal groups are young persons struggling for their economic survival in difficult circumstances. Organized criminal groups offer easy money, thereby dissuading local youngsters from becoming educated and receiving vocational training in order to find proper jobs.

27. For the above reasons, policies against corruption and organized crime should be seen as cornerstones of efforts to prevent conventional crime, in particular in developing countries or in countries with economies in transition. In a national anti-crime strategy designed for the Philippines, for example, good government programmes addressing graft and corruption are presented as key to successful crime prevention through social development.[9]

C. Prevention of corruption and organized crime

28. The fight against organized crime is predominantly presented as a challenge to the law enforcement community. Arrangements are made for special articles in criminal codes, special police investigation techniques and the imposition of special penal measures and witness-protection programmes. Although crime prevention is often seen as less relevant to the fight against organized crime, in some countries attention is increasingly being given to preventive approaches to dealing with forms of organized crime. For example, in 1998, the Council of Ministers of the European Union passed a resolution on the prevention of organized crime.

29. With regard to the relevance of social and cultural programmes that shield young people from recruitment by organized groups, schools and the media can help to counteract the appeal of such groups. Most forms of primary and secondary prevention aimed at the prevention of juvenile delinquency will also contribute to the fight against organized crime. Successful crime prevention strategies can help to drain the swamp in which organized crime flourishes.

30. Many, if not most, organized criminal groups respond to the extent to which opportunities for illegal profits are available. It has been documented that even Italian mafia groups temporarily reduced their activities in a period where opportunities for illegal gain in their environment were limited.[10] The prevalence and nature of organized crime and economic crime are determined by existing opportunities, perhaps even more than are many forms of ordinary crime. There seems to be great potential for preventing organized crime by limiting illegal markets and disrupting logistics.[11]

31. Some Governments have started to apply crime prevention concepts and techniques in the fight against corruption and organized crime. International instruments, such as the International Code of Conduct for Public Officials (General Assembly resolution 51/59, annex), have been adopted to increase transparency in public administrations and commercial transactions. Such measures limit the opportunities for corruption and can be regarded as special forms of situational crime prevention.

32. Reduction of the demand for illicit drugs or sexual services reduces the size of the illegal markets in which criminal groups operate. For that reason, educational or health-care projects that reduce the demand for illicit drugs contribute directly to the prevention of organized crime. Groups involved in trafficking in women or children can be counteracted by information campaigns directed at potential victims, facilitators and consumers of exploitative sex. International systems for marking motor vehicles, antiques and firearms can increase the risks and reduce the rewards of illegal trafficking.

33. The growth of organized groups can be hampered by limiting opportunities to reinvest illegal profits. Many countries have introduced legal and administrative mechanisms to prevent and punish money-laundering. Those efforts can be strengthened by international action aimed at making bank secrecy laws less strict. The reinvestment of criminal profits can also be countered by more cautious screening of applicants for public works, municipal licences or government subsidies. In many countries, persons convicted for serious offences can be barred by the courts from sitting on the boards of companies. The exchange of information between countries on such disqualifications can help to prevent the reinvestment of illegally acquired money in the legal economy. The Office for Drug Control

and Crime Prevention of the Secretariat is in the process of preparing, within the framework of the Global Programme against Money-Laundering, a global initiative to prevent the use of the offshore financial sector for the purpose of money-laundering.

D. Managing crime prevention

34. Experience has shown that action against crime prevention must be multifaceted. The long-term success of crime prevention hinges on the development of well-balanced organizational structures. Crime prevention presupposes the involvement of agencies and parties other than those that make up the criminal justice system. Crime prevention implies close cooperation between police, prosecutors, courts and probation with other state agencies such as those involved in education, health care, social services, housing and urban development, as well as non-governmental organizations, local communities and other elements of civil society. Those actors must form coalitions with strong leadership, and the capacity to identify problems, develop an action plan, and implement and monitor and evaluate the action plan.

35. A prerequisite of crime prevention policies is the establishment of special structures at both the national level and the local level for multi-agency cooperation. Over the past three decades, many countries have experimented with newly established structures such as national councils, inter-ministerial task forces or coalitions. Many of the structures that were put in place in the 1980s have since undergone fundamental changes; some have even been terminated. A ready-made and generally applicable structure is not currently available. Careful consideration must be given to the advantages and disadvantages of proposed structures.

36. One option, employed by some Governments, is the establishment of a centralized department for crime prevention under the direct responsibility of a minister who is also in charge of large parts of the criminal justice system. That model implies a high concentration of expertise and financial resources. It has the advantages that crime prevention stays clearly focused on the reduction of crime and that collaboration with agencies such as police, prosecutors, prisons and probation is generally assured. Successful national programmes may yield political credit and subsequently lead to increased government resources at the national level. National agencies can also reach agreements with national representatives of the business sector to address priority concerns through joint action plans. The drawbacks of the model include possible difficulties in obtaining the full collaboration of local agencies responsible for health care, planning, housing, social security and employment, or work with youth. Primary and secondary prevention programmes might be particularly difficult to implement if they emanate from the ministry of justice or the police. In addition, nationwide programmes may not always be responsive to special local needs.

37. Another option available to Governments is the assignment of responsibility for crime prevention to municipal government or local authorities. The advantage of that option is that those responsible will be well informed about local crime problems and will be able to introduce, together with other local agencies and non-governmental organizations, tailor-made solutions. Local governments are often well placed to mobilize agencies that can influence risk factors involved in community safety (community-based crime prevention). Local governments can also play an important role in the prevention of organized crime by following cautious tendering and licensing procedures. Possible disadvantages are insufficient development and maintenance of expertise, less collaboration with criminal justice agencies and a loss of focus if crime prevention is integrated into broader policy strategies, such as urban renewal. The decentralization of responsibility may also result in insufficient financial resources.

38. In most countries, structures have been created that combine elements of the two opposing models. One mechanism that has worked well in many countries consists of so-called security contracts between a central crime prevention agency or department and local governments. Usually the central agency offers general grants for preventive activities addressing national priority concerns. Local authorities are challenged to prepare comprehensive plans for improved safety. The contracts spell out which activities will be undertaken by local agencies. In some countries, independent monitoring and evaluation are standard elements of the contracts. If the contents of the contracts leave sufficient room for local governments to pursue their own policies within the framework of national strategies, it may be possible to strike the right balance between the interests at stake.

IV. Elements of responsible crime prevention: standards and norms

39. In accordance with Economic and Social Council resolution 1997/33, entitled "Elements of responsible crime prevention: standards and norms", the Secretary-General sought comments from Member States, and relevant intergovernmental and non-governmental organizations, as well as the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, on the annex to that resolution, including the advisability of elaborating such an instrument. As at February 1999, the Secretary-General had received comments from the following 26 States: Bolivia, Brunei Darussalam, Cuba, Cyprus, Finland, Germany, Greece, Guatemala, Holy See, Jordan, Madagascar, Malta, Mauritius, Panama, Paraguay, Portugal, Republic of Korea, Saudi Arabia, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, United States, and Uzbekistan. Comments were also received from the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the European Institute for Crime Prevention and Control, affiliated with the United Nations, the Council of Europe and the International Association of Judges.

40. Brunei Darussalam, Cyprus, Malta and the Republic of Korea supported the draft and had no further comments to offer. Jordan stated that its understanding of crime prevention and the role of the national authorities were similar to the concept of crime prevention expressed in the draft. Madagascar informed the Secretary-General about its concept of crime prevention, particularly as it related to the prevention of violence against women. That view was reflected in more detail in the report of the Secretary-General on the elimination of violence against women (A/54/69-E/1999/8).

41. Bolivia was of the view that crime prevention had to be adapted to the new forms of crime, thus taking into account the international character of the commission of crime. There was a need to develop an international instrument that would focus on preventive measures and that would also reflect the needs of victims who were not otherwise protected. Bolivia offered detailed comments on the draft text and its translation into Spanish, particularly with regard to the involvement of the private sector in crime prevention and the necessary legal regulation and supervision by law enforcement.

42. In support of such an instrument, Cuba suggested that the reference to the rights of offenders in paragraph 21 should be deleted and that paragraph 22 should provide for mediation or other out-of-court alternatives.

43. Finland noted that, in view of the emergence of new types of criminality and the increasingly international character of crime, new methods of crime prevention needed to be applied. Finland had established an advisory board on crime prevention. The board was in charge of coordinating the crime prevention activities of various authorities. The Finnish police forces had initiated projects in which citizens could participate in action related to crime prevention.

44. Germany offered to host a meeting of an expert group to develop further the elements of responsible crime prevention. It was of the opinion that its views had been sufficiently expressed in the draft annexed to Economic and Social Council resolution 1997/33.

45. Greece provided the Secretary-General with detailed information on its crime prevention efforts, with particular emphasis on the prevention of transnational organized crime and drug-related offences. The Government had also provided an overview of the functions of the institutions entrusted with crime prevention.

46. Guatemala called for a more specific definition of the terms "crime prevention" and "organized crime". The Government suggested that paragraphs 8 and 9 of the draft be reviewed and that the text include wording aimed at ensuring better coordination within the international community in the exchange of information and the execution of specific operations, following identification of the areas of crime where criminal organizations operated. The text should include a call for the development of mechanisms that would make it possible to identify the causes and effects of transnational organized crime.

47. The Holy See made specific comments on paragraphs 14-18 of the draft. In its view, it was necessary to mention the central role of families, schools and religious institutions when seeking to combat violent and criminal behaviour. In addition to youth, other social groups at high risk, such as immigrants and members of ethnic minorities, should be addressed in the draft. Reference should be made to measures against transnational organized crime involving the exploitation of illegal immigrants and to measures that promote the legal immigration and social integration of migrants in host countries.

48. Mauritius suggested that paragraph 2 of the draft should be amended to include trafficking in children and paedophilia, that paragraph 16 should be amended to include a reference to social, cultural and religious organizations, that, in paragraph 18, the words "food assistance" should be added after the words "educational support" and that paragraph 21 should include references to protection from harassment from the press and to appropriate therapeutic care and treatment.

49. For Panama, it was important to emphasize the particular vulnerability of children and juveniles used for criminal purposes. The concept of crime prevention should also encompass commercial sexual exploitation of children and child pornography, including via new communication technologies. In addition, the types of preventive measures that were considered appropriate, necessary and effective should be identified in the draft. Panama was concerned that paragraph 5 of the draft could be interpreted to include measures such as those referred to as raids, swoops or clean-up operations, which were used by the authorities for the purpose of prevention and which violated the fundamental rights of young persons.

50. For Paraguay, concerted action by States was crucial to the prevention of offences that transcended national borders. In its view, each Government should be responsible for putting in place the mechanisms that were best designed to promote the improved and more effective implementation of crime prevention programmes and for clearly defining the respective functions of the entities engaged in crime prevention.

51. Portugal fully supported the draft instrument. It was of the view that reference should be made not only to the protection of victims, but also to the protection of witnesses and experts whose willingness and cooperation with the judicial process were fundamental to ensuring effective crime prevention. Furthermore, Portugal was of the view that more in-depth cooperation, at all levels and between States, was necessary to improve the determination of crime trends so that adequate counter-strategies could be developed. The concept of crime prevention should be based on four elements: first, policies to address the economic, social and cultural dimensions in addition to the criminal aspect; second, involvement of society in the objectives and tasks of crime prevention; third, emphasis on the interdisciplinary character of crime prevention measures and policy; and fourth, investigation of the social, cultural and economic conditions and crime trends, as well as evaluation of prevention programmes.

52. Saudi Arabia supported the idea of developing an international instrument on responsible crime prevention. However, some items contained phrases concerning the application of international standards that were contrary to the position of Saudi Arabia.

53. Slovakia offered detailed information on crime prevention in its territory, stressing that it fully supported the concept of crime prevention as outlined in the draft annexed to Economic and Social Council resolution.1997/33.

54. Spain was of the view that crime prevention through the employment of non-punitive measures was important as it complemented the administration of criminal law. In addition, the concept of crime prevention should not be limited to conventional forms of crime, but should be expanded to include new forms of crime. With regard to responsible crime prevention, any prediction of potential criminality at the individual level had to be undertaken with caution. In that regard, Spain referred to the thin line between "undercover agents" and "agents provocateurs" when applying a series of techniques aimed at preventing drug trafficking offences, as well as the risk of flawed evidence being obtained in breach of the most elementary fundamental principles.

55. Sweden welcomed the preliminary draft as a good start in enhancing the interest in crime prevention at the national and international levels. The resolution had included the most important points in the work on crime prevention. However, they had been reflected in a somewhat unfocused manner in the draft.

56. Switzerland gave its overall approval of the text, which, in its view, had been drafted in such general terms that it could hardly invite criticism. Switzerland was of the view that it would be helpful if the "elements" were to provide a clear and precise definition of what exactly was meant by prevention, together with a number of specific applications.

57. Turkey provided the Secretary-General with detailed comments on the draft on the elements for responsible crime prevention, *inter alia*, regarding the necessity to define certain concepts clearly. Turkey regarded terrorism as a form of transnational organized crime, along with illegal trafficking in migrants, drugs and arms. In the view of the Government, terrorism obtained financial and material sources through the establishment of close links with, and involvement in, other forms of transnational organized crime. Such links should be explicitly referred to in the draft.

58. Ukraine supported the idea that action to prevent crime and the development of non-custodial measures should take into account humanitarian principles. The programmes should be oriented towards achieving a sustainable reduction of crime levels. Crime prevention programmes should involve law enforcement and other governmental agencies and social institutions. Special attention should be paid to the prevention of juvenile delinquency. Furthermore, crime prevention policies should facilitate better coordination in the investigation of complex operations of organized criminal groups in two or more countries.

59. The United States was of the view that the standards and norms contained significant ambiguities that appeared to make the document less suitable as a source of guidance for States. The United States provided examples of language contained in the draft that was problematic from its point of view. The topics addressed included the large scope of coordination that might be required for effective crime prevention strategies, the broad language of a number of provisions, which made it difficult to determine required action or obligations, and the assumption that the cause of all crime was social.

60. Uzbekistan suggested that a list of crimes encompassed by the concept of crime prevention should be added to the draft and that there should be more concrete examples of crime prevention. The examples should include: (a) the development of comprehensive national policies to prevent crime, including the establishment of special research services; (b) law reform that would ensure that legislation was brought into line with international standards and national crime prevention policies; and (c) international cooperation in crime prevention.

61. The Office of the United Nations High Commissioner for Human Rights was of the view that it was necessary to emphasize in the draft that poverty, unemployment, slum conditions, family disintegration and misuse of leisure time were each associated with delinquent conduct. In addition, a new paragraph could be added to provide for the establishment of intersectoral prevention councils, which could consist of a number of social entities, such as those concerned with education, employment, health and housing services, judicial institutions, trade unions and organizations that could provide relief and support to vulnerable groups and those at risk.

62. UNESCO suggested including a reference to programmes on adult learning in prisons.

63. The European Institute for Crime Prevention and Control, affiliated with the United Nations, suggested that the term "serious crime" be defined in the draft and that the scope of paragraph 10 be broadened to include crime other than serious crime only.

64. The Council of Europe shared the basic proposition that the prevention of crime through non-punitive measures in the respect of human rights added value to the traditional administration of criminal justice. The European Commission, referring to the European Union action plan against organized crime, adopted by the Amsterdam European Council in June 1997, was seeking to integrate the prevention dimension in a number of policies. However, it was of the view that it was difficult to address all forms of prevention in one single set of principles. Different forms of criminality called for specific preventive measures. Prevention could be focused on the potential offender, as well as being designed for the potential victim, or it could target the circumstances or environment that facilitated the perpetration of crime. The aim of preventive measures might be to protect particular goods or persons or to achieve a medium-term or long-term goal involving education. Moreover, preventive measures were not always easy to distinguish from sanctions, for instance, in the case of blacklisting or disqualification.

65. The International Association of Judges emphasized that there was a need to base all preventive measures on legal provisions and that, with the possible exception of minor offences, the decision as to whether a particular offence was accessible for diversion should be taken by a legal authority. When the non-punitive measures were handled by private or voluntary associations, the law should allow informal action. The conduct and action of private persons dealing with non-punitive prevention measures should be provided by law and monitored by independent judicial authorities.

V. Illicit manufacturing of and trafficking in explosives

66. The Economic and Social Council, in its resolution 1998/17, decided that a study should be initiated on illicit manufacturing of and trafficking in explosives by criminals and on the abuse and misuse of explosives for criminal purposes. The Council also requested the Secretary-General to prepare an action plan for collecting,

reviewing and exchanging statistics and policy proposals on a number of issues related to the question of explosives in the context of crime prevention and public safety. Accordingly, a research note containing preliminary observation on the issues covered by the resolution has been prepared and is being issued as an addendum to the present report (E/CN.15/1999/3/Add.1).

VI. United Nations Declaration on Crime and Public Security

67. The General Assembly, in its resolution 51/60 of 12 December 1996, approved the United Nations Declaration on Crime and Public Security, annexed thereto. In his report on technical cooperation, including resource mobilization, and coordination of activities, the Secretary-General informed the Commission at its sixth session about measures taken by Member States and the Secretariat to implement the Declaration (see E/CN.15/1997/17, paras. 47-57). As part of the follow-up to Assembly resolution 51/60, the Economic and Social Council, in its resolution 1997/34 on the implementation of the United Nations Declaration on Crime and Public Security, requested the Secretary-General, utilizing a questionnaire or other means to ensure standardized responses, to seek from Member States, as well as any interested intergovernmental organizations or United Nations institutes, information related to the implementation of the Declaration. That request was reiterated by the Council in section I of its resolution 1998/21, on United Nations standards and norms in crime prevention and criminal justice. In accordance with those requests, a conference room paper containing a draft questionnaire on the use and application of the Declaration will be before the Commission (E/CN.15/1999/CRP.5).

VII. Topics for consideration by the Commission on Crime Prevention and Criminal Justice

68. The Commission may wish to discuss the draft on elements of responsible crime prevention, which are aimed at promoting and regulating crime prevention. With its dual focus on practical and normative aspects, the draft is in line with previous standards and norms, such as those on non-custodial sentences. The response by Governments to the Secretary-General's request for comments include suggestions for amendments. The question may be raised as to whether the draft sufficiently addresses the need for responsible preventive measures dealing with transnational organized crime and corruption. This and other issues might be discussed by experts in an inter-sessional working group.

69. In a note verbale, the Secretary-General brought to the attention of all Member States the approval by the General Assembly of the United Nations Declaration on Crime and Public Security. In response to that communication, three Governments reported on efforts to combat transnational organized crime. The Economic and Social Council, in its resolution 1998/21 on the use and application of United Nations standards and norms in crime prevention and criminal justice, requested the Secretary-General to prepare a survey on the Declaration (see para. 67 above). The Commission may wish to discuss the survey instrument and the ways that it can be utilized.

70. The Commission may also wish to discuss the organization of the workshop on community involvement in crime prevention that is to be held within the framework of the Tenth Congress. In October 1999, a meeting focusing on responsible and cost-effective prevention will be organized by the International Centre for the Prevention of Crime in preparation for the workshop.

71. Elements of the global programmes of the Centre for International Crime Prevention and the United Nations Interregional Crime and Justice Research Institute on corruption and trafficking in human beings could be discussed as concrete examples of technical cooperation in the prevention of transnational organized crime. Suggestions for global crime prevention strategies addressing priority concerns could be incorporated in the declaration to be elaborated by the Tenth Congress pursuant to General Assembly resolution 53/110.

Notes

[1] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990* (United Nations publication, Sales No. E.91.IV.2), Chap. I, sect. C.1)

[2] Gradin and others, eds., *Seminar on the Prevention of Urban Delinquency linked to Drugs Dependence* (Brussels, 1996); L. W. Sherman and others, *Preventing Crime: What Works, What Doesn't, What's Promising* (Washington, D.C., United States Department of Justice, 1998); Jan J. M. van Dijk, "Towards a research-based crime reduction policy: crime prevention as a cost-effective policy option", *European*

Journal on Criminal Policy and Research, vol. 5, No. 3 (1997); Pat O'Malley and Adam Sutton, eds., *Crime Prevention in Australia: Issues in Policy and Research* (Sydney, Federation Press, 1997); Peter Goldblatt and Chris Lewis, *Reducing Offending: an Assessment of Research Evidence on Ways of Dealing with Offending Behaviour*, Home Office Research Study 187 (London, 1998); and Irvin Waller and Brandon Welsh, "International trends in crime prevention: cost-effective ways to reduce victimization", G. Newman, ed., *Global Report on Crime and Justice* (New York, Oxford University Press, forthcoming).

[3] Tibamanya Mwene Mushanga, ed., *Criminology in Africa*, UNSDRI/UNICRI Monograph Series, No. 47 (Rome, 1992).

[4] P. Greenwood and others, *Diverting Children from a Life of Crime: Measuring Costs and Benefits* (Santa Monica, California, RAND Corporation, 1996).

[5] Patricia Mayhew and Jan J. M. van Dijk, *Criminal Victimisation in Eleven Industrialized Countries* (The Hague, Ministry of Justice of the Netherlands, 1997).

[6] Graeme Newman, ed., *Global Report on Crime and Justice* (Oxford, Oxford University Press, forthcoming).

[7] International Centre for the Prevention of Crime, *Crime Prevention Digest II* (Montreal, forthcoming).

[8] Anna Alvazzi del Frate, *Preventing Crime: Experience across the World* (Rome, United Nations Interregional Crime and Justice Research Institute, 1997).

[9] Miguel G. Coronel, *People Empowerment against Crime* (Manila, Zita Publishing Corporation, 1996).

[10] Pino Arlacchi, *The Mafia Business: the Mafia Ethic and the Spirit of Capitalism* (Oxford, Oxford University Press, 1988).

[11] Ulrich Siber and Marion Bogel, *Logistik der organisierten Kriminalität*, BKA-Forschungsreihe, Band 28 (Wiesbaden, Bundeskriminalamt, 1993).